

SECRET

17 December 1953

MEMORANDUM FOR MR. AMORY

SUBJECT: Draft of Atomic Energy Legislative Amendments

1. Attached is a draft of agency comment, with accompanying commentary to clarify the proposed statements.

2. On the basic question whether this carries out the full intent and scope of NSC 151/2, the answer is clearly yes. The amendments provide that any RD can be exchanged (we want "disseminated") on appropriate findings by the AEC. (Section 6 - amending Section 10 (a) (1).) This eliminates all the scope limitations and strict procedural inhibitions of the old 10 (a) (3), and would give the AEC a clear field as to all RD. Moreover, military-type data can be removed from the RD classification without being wholly downgraded (as it must be now), if the Commission concludes that the security provided by non-RD classifications would be adequate. (Section 7 - amending Section 10 (b) (1).) Presumably this would be often. Once out of the RD category, the data could be disseminated to foreign countries on the same basis as other material of that classification, through MICC channels (NSC 151/2, para 4), with due regard to need-to-know, the other country's status and security practices, and the rest of what MICC now looks at. Query whether the Commission can or will in practice remove data from the RD category without taking into account the possibility of later dissemination to foreign countries. I can foresee cases where they might accept a regular classification, but still insist on "US only" restrictions. I don't think the law should say anything one way or the other on this. Better to work it out later. In any case the criteria both for dissemination of RD and for de-RDing are general enough to permit release in appropriate cases of everything covered in NSC 151/2 as a possible candidate for such release.

WFB

MORI/CDE